

10
PUBLIC HEALTH ACT.

(11 & 12 Vict., Cap. 63.)

R E P O R T

ON

ALNWICK AND CANONGATE.

REPLY TO MEMORIALS

Forwarded from the Union, in compliance with the Notification
given in Terms of Sec. 9 of the Public Health Act.



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PUBLIC HEALTH ACT (11 and 12 Vict., Cap. 63.)

Report on Alnwick and Canongate.—Reply to Memorials forwarded from the Union, in compliance with the Notification given in terms of section 9 of the Public Health Act.

MY LORDS AND GENTLEMEN,

London, 25th April 1850.

A PETITION having been forwarded to your Honourable Board from the township of Alnwick and Canongate, praying the Board “to cause inquiry to be made with a view to the application of the Public Health Act,” such inquiry was made, and a Report drawn up recommending the application of the Act to the entire Union, as preferable to confining it to the district from which the petition was forwarded. This course I conceived to be in compliance with my instructions, as set forth in the public advertisement, namely:—

“To make public inquiry, and examine witnesses with respect to—

“The natural drainage areas.

“The existing municipal, parochial, or other local boundaries.

“The boundaries which may be most advantageously adopted for the purpose of the said Act.

“And other matters in respect whereof the General Board of Health is desirous of being informed, for the purpose of enabling them to judge of the propriety of reporting to Her Majesty, or making a provisional order with a view to the application of the said Act, or any part thereof, to the said district.”

At page 51 of my Report, I have set forth the reasons for recommending the application of the Act to the whole Union, and I beg to add, that expense in actual money payments may be reduced if such recommendation is carried out, and the spirit of the Act complied with.

An entire new establishment need not be formed. One principal surveyor would be competent to the work of the Union, and this appointment alone need be new; the clerk and treasurer to the Union may also act for the local Board; the medical officers of the Union may be the medical officers under the local Board; the relieving officers may also be inspectors of nuisances, and the present collectors may collect the new rates with the poor's-rate, these parties being paid for their services proportionately, out of the poor's-rate, and such rates as may be levied under the Act. Many additional reasons may be advanced in favour of the extended application of the Act as recommended. The new works to be executed require skilled labour, which it will be the duty of the local Board to provide. The surveyor will be a person capable of comprehending and

putting into practice such instructions as the local Board may from time to time issue for the efficient and economical arrangement and execution of all works; and, in the case under consideration, the whole Union would receive the benefit of such knowledge at the least possible cost to each parish, township, or place.

Confine the Act to Alnwick Proper, and the remaining 61 parishes and townships in the Union must be shut out from any benefit conferred by an efficient local Board, as also the many and great advantages conferred by the Public Health Act generally, advantages now sought after by towns, where thousands of pounds have been expended in obtaining Acts of Parliament, but which do not give the combined powers conferred by the Public Health Act. One great advantage is the clause granting power to mortgage rates, and it is of equal importance to the rate-payers that the General Board have power to require full estimates and information previous to any money being levied or expended, thereby protecting, not only the resident rate-payer, but absentees, mortgagees, and minors. At present, the objects contemplated by the Act are most imperfectly understood even by many persons favourable to its introduction; they are not aware that the rating clauses are fenced round, so as to prevent undue taxation or oppression; that one district will not be required to contribute to the work done for the exclusive benefit of any other district; neither can the inhabitants resident in one part of a district dictate what works shall be carried out in any other part, excepting where the health or safety of the public is endangered, when proper regulations will be made by the local Board; and in such cases, notice must be served upon the parties owning property so neglected. Full security is given to the owners and rate-payers in sec. 85, which treats of contracts for works, &c. But each clause of the Act ought to be considered by the rate-payers, when they will find full provision is made for their benefit, protection, and security. That parties may be found, who will object to the application of the Act after the fullest explanation has been given is quite true, and it must remain with your Honourable Board to consider whether the solicitations of such persons shall be complied with in preference to the petition and urgent request of others whose wish it is that the Act be applied. One thing ought to be clearly and distinctly understood by those who object to the Act, namely, the result of their rejection can have no direct or immediate effect but upon themselves and their fellow rate-payers. The adoption of the Act in no way benefits or concerns the General Board other than as it equally concerns the whole nation, that proper laws and regulations should be enforced. Neglect of sanitary arrangements produces disease and misery, which result in pauperism; crowded cottages, room-tenements, and common lodging-houses are filled with degradation, immorality, and misery:

they foster crime, which acts and re-acts upon the whole framework of society; vice is strengthened by contact with vice, and, as such places as they at present exist, the young of both sexes learn vice to the exclusion of all other knowledge.

In the application of the Public Health Act to towns, one effect is, to place all common lodging-houses under regulation and inspection; and the immediate result will be to crowd the country districts and villages with tramps and vagrants where such regulations do not exist. Driven from the towns by proper sanitary arrangements, they—the vagrants—will overcrowd other wretched hovels, introducing vice, immorality, disorder, and disease. Such has been the case in some small towns already. Public lodging-houses have been regulated in Liverpool; and Ormskirk, 13 miles distant, has been overrun with Irish vagrants to such an extent as to raise the annual mortality from 22 to 44 in the thousand, or to double the mortality, and with it to increase the poor's-rates. Many villages at present are as fearfully overcrowded as the towns, and they suffered more severely from the late epidemic, as in the village of Wreckington, near Newcastle-upon-Tyne, where one-seventh of the entire population perished by cholera in one month; and in the village of Bedlington, where 27 deaths from cholera took place in 25 days. The cholera prevailed in several of the villages in Alnwick Union (*see* Report, pages 70 and 71); throughout the union, fever is common. All research and experience tends to prove that where either fever or the more rapidly fatal disease cholera exists, there sanitary works and regulations are imperatively required. The saving result of precautionary measures by temporary regulation was shown in a most remarkable degree by the cleansing of Moor's-yard, or the Tunnel, in Alnwick, as detailed in the Report, page 21.

The provisions of the Nuisances Removal Act of 1848 have been enforced by the guardians, as detailed in Appendix A., page 69, where it appears the legal proceedings have cost 113*l.* 5*s.* 6*d.* to enforce attention to the requirements of this Act, and, as stated in the Report by the Clerk to the Union,—

“To have incurred legal proceedings as often as the necessity required would have entailed a very considerable expense without the root of the evil being affected. The evil lies in the want of proper conveniences for the removal of the offal of the houses, and cannot be remedied under the provisions of the Nuisances Removal Act. The occupiers may be harassed by repeated prosecutions, the rate-payers put to considerable expense in doing so, still no permanent good is effected.”

The Nuisances Removal Act was a temporary measure, but most valuable as filling the void to be occupied by the Health of Towns Act, which will enable the local Boards to carry out permanent works which shall be in a great measure self-acting. The following is a common form of complaint, as to want of power to execute works:—

“If any single landlord is willing, which in the generality of cases he is, to improve the condition of his houses, the first question he asks is, ‘What am I to do with the liquid refuse generated upon my property? If I put down house-drains, I must open them out on to the surface of the street.’”

And this method, be it remembered, is the prevailing practice at this time throughout Great Britain, not in villages alone, but in the largest towns in the empire; at Birmingham, for instance, houses which let at rentals varying from one hundred to three hundred pounds per annum pass their house drainage and refuse of the water-closets out on to the surface of the roads, because there is no compulsory power to make main drains. One class of owners of property would willingly pay their proportion of the expense, but any single objector can stop the whole proceeding; and there are men who have a morbid feeling of vanity which finds a species of gratification even in mischievous obstinacy of this description.

In recommending the application of the Act to any town or district, some land purely agricultural must necessarily be included; and it is provided in the Act (s. 88), that for the establishment charges alone shall such land be rated; and upon one-fourth only of its value. The benefit which the land will derive from such an establishment will be improved roads (highways), and the best outfall for permanent works of drainage. If the provisions of the Public Health Act are economically and properly carried out, there is not a single portion of the whole kingdom which may not be benefited by its application; and if the measure is confined entirely to towns, the outside districts, villages, &c., will be left behind; and, as they will not have the means of self-improvement, they will inevitably become worse. This I have striven briefly to explain.

REMARKS ON THE MEMORIALS.—It is not my intention to take up the Memorials and argue each objection they contain, as I believe the whole are founded either in a want of comprehension as to the purpose and power of the Public Health Act, or in a want of practical knowledge as to the great danger and loss entailed by a continued neglect of efficient sanitary works even in the smallest villages; as also of the great advantages to be derived from one combined superintendence of the roads throughout the union, instead of appointing annually, as at present, 71 surveyors of highways to levy rates without practical estimates, and to expend the money without system or professional skill; the effect of which is visible in the bad condition of the roads. The same results will inevitably attend any undirected attempts at house-drainage by unskilled labour; and in this case health and life are at stake, as dwelling-houses are unhealthy without drains; but they may be made much more so if this class of works is unskilfully performed.

With respect to the town of Alnwick from whence the petition emanated, the inhabitants wish to have the benefit of the

Act; but it is also their desire that all the works for the town may be carried out under the direction of the members of the local Board, elected for the town. They are not decidedly averse to one establishment acting for the Union; but as each locality must necessarily pay the full amount for its portion of work, they request that the character of works, amount to be expended, with the time for commencement, so far as regards their own works, shall be under their entire control, as they would desire that the same privileges should be extended to each separate district.

Up to this date, April 22, the time allowed by the Act within which to receive statements for or against any statement or recommendation contained in the Report, 13 memorials have been received by the General Board. Four are in favour of that recommendation, and nine may be considered against it. Those in favour are from His Grace the Duke of Northumberland, the Right Hon. the Earl Grey, the inhabitants of the town of Alnwick, and the Rev. J. B. Roberts, Vicar of Shilbottle.

Those against are from S. J. Widdrington, Newton-on-the-Moor and Hauxley, William Grey, East Bolton, Edward H. Chalk, Alnmouth, Thomas Thorp, Doxford, Robert Dand and others, Lesburg, Edward A. Carr and others, Longhaughton, and John Elliot and others, Littleoughton, and memorials from others, being owners, occupiers, and rate-payers of the district.

The whole number of parishes, townships, and places in the Union from which separate memorials might have been forwarded is 62.* Some persons may, probably, however, be found who will object in each of the 62 places; but unanimity is not contemplated in any case by the Act, as a petition from one-tenth of the rated inhabitants is considered as giving the right to solicit inquiry, and upon such inquiry the Act may be applied.

Mr. A. Bell, on behalf of the Duke of Northumberland, states:—

“His Grace approves of the measure generally, and that it should include the whole of Alnwick Union.”

This memorial from his Grace, however, contains some suggestions respecting the number of divisions, as also respecting the number of members and general constitution of the local Board to be elected. Earl Grey has, also, offered some suggestions upon the same heads; and, so far as the Act will allow, I beg to recommend that these suggestions be embodied in the provisional order.

SUMMARY AND RECOMMENDATION.—After giving close and serious consideration to the memorials objecting to my recommendations, I can but suppose that the writers of each found their conclusions in error and ignorance as to the beneficial

* Several petitions against the recommendation have been received since the 22nd of April; but legally they are not noticeable.

effect of the Public Health Act. It creates a local governing body for certain necessary purposes where none such at present exists. It carefully protects each rate-payer, and under its powers and provisions there cannot be taxation without benefit conferred. One uniform system of repair in the maintenance of highways and roads will alone be a great saving and benefit. There will be a saving in the first cost of formation and repair, as responsible and skilled labour will be employed in place of that which is comparatively unskilled and irresponsible. There will be a saving in taxation, as also in wear and tear upon all kinds of vehicles, and even upon the roads themselves. It has been found by practice and experiment that if a road is attended to, one-third the quantity of material will preserve it in good repair, which may be otherwise wasted; that is, three tons of stone will be ground to mud in ruts and the road remain bad, where one ton would alone be used on a road having a regular surface, properly drained and duly maintained. All land is rated at one-fourth its annual value for the establishment charges, and the equivalent for this would be good roads. If drains and sewers are not required they will not be made, and no landowner can be called upon to contribute to those from which he is not to derive any benefit.

I beg, therefore, most respectfully again to recommend that the Public Health Act be applied to the whole Union.

I am,

My Lords and Gentlemen,

Your most obedient Servant,

To the General Board of Health,

ROBERT RAWLINSON.

MINUTE OF THE GENERAL BOARD OF HEALTH.

The General Board fully recognize the right of their Inspector, to recommend an extension of the boundary after due inquiry; and in the particular instance of Alnwick they fully concur with his Grace the Duke of Northumberland and Earl Grey, that much benefit would have resulted if Mr. Rawlinson's recommendation had been carried out: but there are legal difficulties which, at the present time, would have prevented this measure taking place during this session of Parliament; and they consider that the means of improvement in Alnwick should not be delayed. The Board also wish it to be understood that, under no circumstances will the Act be applied as recommended against the expressed wish of a majority of the rate-payers.

Signed by order of the Board,

T. TAYLOR,

Assistant Secretary.



